[US 010191]

REMARKS

I. INTRODUCTION

Claims 1-20 remain pending in this application. It is respectfully submitted that based on the following remarks, all of the presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as unpatentable over "Integrated Data-Casting Solutions for Digital TV" by Motorola ("Motorola") or over U.S. Pat. Pub. No. 2005/0111823 to Dureau ("Dureau") in view of U.S. Pat. Pub. No. 2004/0236865 to Ullman et al. ("Ullman"). (See 04/23/07 Office Action, p. 6).

Motorola describes a datacasting network, which makes broadcasts or selected portions of broadcasts available to computer users conditionally on the basis of subscriptions, demographics, or user inquiry. (See Motorola, p. 4). According to the Motorola reference, information is received and stored by a bases station. Information is then branded as to its type, i.e., news, finance, sports, or technology. Selected portions of the data contained in the base station are then broadcast to the user's PC. Datacasting files stored in the PC hard drive can be manipulated from PC workstations to integrate the data into templates carrying a local station brand to identify it with a community or with a sponsor. (See Motorola p. 6, par. 4). Motorola further discloses an entitlement control process by which subscription programs are accessible to subscribers if certain conditional access criteria are met. (See Motorola p. 8, par. 2). The criteria divide the datacast into individually access-controlled data segments that can be used to provide different levels of service to the subscribers (i.e., basic data services are free, but a data service augmented with real time streaming video is offered at a premium). (See Motorola p. 8, par. 2). Once a service level is assigned to the datacast segment (i.e., a data flag), the subsequent encryption of that segment forces the subscriber to have the proper authorization to receive the service. (See Motorola p. 8, par. 2).

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Claim 1 recites, "wherein said controller employs a first content parameter associated with a first one of said datacast blocks with at least one subscriber-specific parameter associated with said data storage apparatus and wherein said controller, in response to a determination that said first content parameter matches said at least one subscriber-specific parameter, stores said first datacast block in said storage medium." The Examiner states that this recitation of claim 1 is disclosed in Motorola. (See 04/23/07 Office Action p. 3). Applicants respectfully disagree.

The Examiner asserts that the above recitation of claim 1 is taught by files being branded in Motorola. Specifically, the Examiner states that, "Files are BRANDED and Scheduled for broadcast and broadcasted by swapping NULL packets…Branding is identification of content, which to do so is it deemed that it is required to be cached (first storage) to be analyzed (identified), to thereafter, branded or labeled…which ca[n] be based on user information, preferences, profile, demographics." (See 04/23/07 Office Action p. 2-3). The Examiner incorrectly equates the branding of items done in the data assimilation stage of Motorola with the transfer of user specific information performed in the conditional access stage. In Motorola, when information is received by the base station, files are branded with information that is a type of data such as news, finance, sports, and technology. (See Motorola p. 6). Once the information has been received and the content has been prepared, then and only then, is the information separated and transmitted to individual users based on their conditional access. (See Motorola p. 7). The received information is never branded based on specific user needs. In contrast, claim 1 compares the incoming datacast block to user-specific parameters requested by one or more users, immediately upon receiving the datacast signal. Specifically, claim 1 recites, "wherein said controller employs a first content parameter associated with a first one of said datacast blocks with at least one subscriber-specific parameter associated with said data storage apparatus." Motorola only brands the incoming data with the type of data it is, it does not brand the incoming data based on user preferences.

Furthermore, the system of Motorola operates differently from the claimed data storage apparatus. Motorola receives datacast information and stores almost all of the received information in the local broadcast server, with Motorola being silent as to what happens to the remaining information. Specifically, Motorola states "[m]ost of the content is cached on a server

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where it can be branded and scheduled for broadcast." (See Motorola, p. 6). In Motorola,

selected portions of the entire base station memory is then transmitted to the user based on their

conditional access. That is, Motorola states, "but the value of the service to the individual users

may be enhanced if just portions of the datacasts that they want are delivered to their PC's hard

drive." (See Motorola, p. 7). In contrast, claim 1 recites a data storage apparatus whereby

selected portions of the incoming datacast are stored at the local broadcast facility, based on

user-specific needs. Once the information has been stored, the entirety of the contents of the

local broadcast storage medium is transmitted to the user. (See Claim 1 Below). The local

broadcast station does not store almost the entire content of the datacast, as is the case in

Motorola.

Claim 1 recites

> A data storage apparatus within a local broadcast facility for downloading
> data from datacast streams transmitted by a television broadcast system to
> a plurality of similar data storage apparatuses, said data storage apparatus
> comprising: a storage medium within the local broadcast facility for
> storing selected portions of said transmitted datacast streams; a controller
> within the local broadcast facility capable of receiving a first datacast
> stream transmitted by said television broadcast system and detecting
> therein a plurality of datacast blocks, wherein said controller employs a
> first content parameter associated with a first one of said datacast blocks
> with at least one subscriber-specific parameter associated with said data
> storage apparatus and wherein said controller, in response to a
> determination that said first content parameter matches said at least one
> subscriber-specific parameter, stores said first datacast block in said
> storage medium; and a transmission device within the local broadcast
> facility configured to transmit said first data cast in accordance with said
> first content parameter.

Accordingly, Applicants submit that Motorola does not teach or suggest a storage

medium that stores only selected portions of the datacast based on user-specific needs as

described in claim 1.

Dureau only teaches a smart toy that can track past activities of the toy and/or the user

and can build a locally stored profile of these activities in the toy. (See Dureau, p. 7, par. [0061]).

As an input device, the smart toy can download data to a broadcast station as long as there is a

return path between the broadcast station and receiving station. (See Dureau, p. 7, par. [0062]).
Dureau also teaches that user information, such as profile data stored on the toy, may also be
uploaded to the receiving station or the broadcast station for filtering downloads or customizing
program content to be displayed on the television. (See Dureau, p. 7, par. [0063]).

Ullman describes a computer-based system for receiving URL's to be entered and for the
Web pages to be synchronized to be displayed on a television screen. (See Ullman, pp. 2-3, par.
[0027]). The system of Ullman enables personalization in the form of URLs specific to each
user's unique profile stored in the database 78. (See Ullman, p. 4, par. [0041]). The
personalized URLs are uniquely relevant to the user's interests, demographics, history, or
behavior in the system and may be automatically chosen by an algorithm (such as a filter). (See
Ullman, p. 4, par. [0041]). However, the Ullman system merely fetches personalized URL's to
display Web content simultaneously with video. (See Ullman, p. 5, par. [0051], [0054]).

The Examiner asserts that Dureau, at page 7 paragraph 63, teaches, "in response to a
determination that said first content parameter matches said at least one subscriber-specific
parameter, stores said first datacast block in said storage medium." (See 05/25/07 Office Action
p. 7). Applicants respectfully disagree.

Similar to the discussion of Motorola above, Dureau discloses a receiver station that
receives and stores all data, and sends part of the stored data to the user. Dureau states that,
"[t]he toy can be configured to filter the broadcast data downloaded by the receiving station and
to accept only that programming which meets the filtering criteria. The filtering of the
downloaded data may be based on user selections, or it may be based on user preferences stored
in the toy itself." (See Dureau par [0012]). Thus, the receiving station of Dureau stores all
possible data, and transmits part of its contents, based on the user profile, to the toy. In contrast,
claim 1 recites, "in response to a determination that said first content parameter matches said at
least one subscriber-specific parameter, stores said first datacast block in said storage medium."
That is, only content that matches subscriber-specific parameters is stored in the recited storage
medium.

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Applicants submit that Ullman does not cure the above-described deficiencies of Motorola and Dureau. Therefore Applicants submit that claim 1 is allowable. Because claims 2-8 depend from and, therefore, include all the limitations of claim 1 it is respectfully submitted that these claims are also allowable for at least the reasons stated above with respect to claim 1.

Independent claims 9 recites "comparing at the local broadcast facility a first content parameter associated with a first one of the datacast blocks with at least one subscriber-specific parameter…in response to a determination that the first content parameter matches the at least on subscriber-specific parameter, storing the first datacast block in a storage medium." Applicants submit that this claim is allowable for at least the reasons stated above with respect to claim 1. Because claims 10-16 depend from and, therefore, include all the limitations of claim 9 it is respectfully submitted that these claims are also allowable for at least the reasons stated above with respect to claim 9.

Independent claims 17 recites "selectively storing said retrieved web page data in either a broadcast block queue, a multicast block queue or a unicast block queue within a memory as a plurality of transmission queues." Applicants submit that this claim is allowable for at least the reasons stated above with respect to claim 1. Because claims 18-20 depend from and, therefore, include all the limitations of claim 17 it is respectfully submitted that these claims are also allowable for at least the reasons stated above with respect to claim 17.

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CONCLUSION

In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.
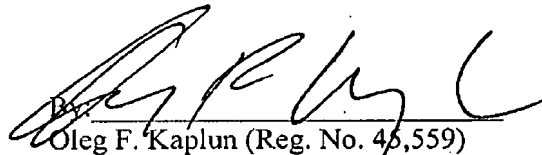
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Respectfully submitted,

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